

31 December 1952

MEMORANDUM FOR: Deputy Director (Intelligence)

SUBJECT: Control of Intelligence and Information Used by  
ORR/D/E in Intelligence Support of Economic De-  
fense Operations.

1. For your information there is submitted a report on developments on the above subject.

2. Problem of Control of Dissemination by ORR of Intelligence and Information to COCOM. This problem came to the attention of this Office when it was learned that U. S. negotiators (State - DNS - Commerce) were using their discretion in releasing CIA-produced intelligence classified secret or lower to other governments in COCOM without any clearance with this Agency. Two things have been done about this. (a) A draft paper (Tab A) has been prepared in this Office for use by ORR, (b) agreement has been reached with ORR as follows:

"ORR/D/E will clear intelligence and information (a) with the collector(s) (directly or through OCD) before release to non-IAC agencies and (b) consistent with MIC policy, with OCD and the collector(s) (directly or through OCD) before release to foreign nationals."

3. Problem of Revision of IAC Terms of Reference. In order to preclude other agencies interpreting IAC Terms of Reference as vesting in them a paramount right to see intelligence and/or information produced by CIA which a collector in protecting his sources and methods might not release, a proposed revision of those terms of reference has been prepared. Attached as Tab B is a memorandum of conversation including the revised language which   will discuss at the IAC level before this Office considers the submission of revised language to the IAC members.

JAMES Q. REBER  
Assistant Dir

*Dissemination*

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Security Information

PROTECTION OF CIA INTELLIGENCE  
AND/OR INFORMATION USED IN SUPPORT OF COCOM

Problem

To determine the protection given to CIA intelligence and/or information used in support of COCOM negotiations by the U. S. Delegation and if necessary suggest remedies for any insecurities which are discovered.

Recommendation

That ORR publish an internal procedure calling attention to existing regulations and taking into account the particular type of work and intelligence support responsibilities of ORR. It may be determined that the only need may be for an issuance covering just D/E, however, if the situation which obtained in D/E is indicative of the situation in the rest of ORR then the paper should be put out throughout ORR. The procedure might be roughly as follows:

(a) After the analyst or responsible officer clears with sources the specific dissemination which may be made of information provided by that source - the material going to EDAC and Commerce be stamped with a caveat to the effect that no further dissemination including that to foreign governments may be made unless clearance is obtained from CIA.

(b) That discussion take place between ORR and those responsible for the negotiations to obtain, in advance, those subjects where it might be desirable to disseminate intelligence and/or information to other COCOM governments. It was my impression (impression only) from discussion in DMS, State, and Commerce that it was possible to determine out of the several items on the agenda, that only 3, 4 or 5 would be such that it might be desirable to pass intelligence and/or information to other COCOM governments.

(c) On items other than those in (b) above, if the need arises, the delegation should cable back for clearance on the use of CIA intelligence and/or information.

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Discussion

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Paper

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Last week it became necessary, upon request from the U. S. negotiators in COCOM, for [ ] (CIA/ORR/D/E) to pull together available intelligence on locomotives to support the position taken by the U. S. negotiators in COCOM. The U. S. position was to place locomotives on International List 1. Evidently, certain other countries did not agree (the rule of unanimity is followed in COCOM) unless the U. S. could furnish conclusive intelligence data. Such other countries evidently were hiding behind this gimmick of "put up or shut up" for obvious economic reasons. [ ] accumulated intelligence and produced a paper which, at the request of DMS, he took with him to Paris where, due to his competence, he was to handle the technical negotiations. When the question arose in Paris of using the content of the paper for passage to other countries, [ ] stated he would have to send back for clearance. What followed was a very rush and complicated affair involving clearances of OO, SO, Z, other agencies, and MIC.

This question has been resolved, albeit not to the complete satisfaction of the U. S. negotiators, but the sanitized document will be available in Paris today for use in passage to other countries - for whatever worth it may have.

U. S. Government Organization in Support of COCOM Negotiations

COCOM. At the top of the international economic structure dealing with export controls is the Consultative Group. This group meets infrequently and the majority of the negotiations take place in a coordinating committee called COCOM and in COCOM Subgroups.

EDAC. In support of the U. S. delegation to COCOM is EDAC, the Economic Defense Advisory Committee, comprised of DMS, State, CIA, Defense, Commerce, and others. EDAC has an elaborate substructure. The principle body among the substructure is the Economic Defense Advisory Committee Steering Group. Decisions - with respect to Battle Act matters affecting U. S. aid to countries who are engaged in export of items, which we consider critical, to the Soviet bloc and with respect to NSC 104/2 on foreign economic policy - are made in the EDAC structure. These decisions are incorporated into the U. S. position on the placement of these items on International Lists 1, 2, and 3.

Commerce Task Groups. Also in support of the U. S. delegation to COCOM on questions of international agreements on export controls, is Commerce. The Secretary of Commerce with export control authority has the ACEP, an advisory committee on export policy. The ACEP has an elaborate substructure which fans out extensively under an operating committee in the form of varied commodity task groups. These Commerce Task Groups produce recommendations which are incorporated into the U. S. position at COCOM.

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Joint Export Policy Committee. Between the EDAC and Commerce task group structures lies a coordinating committee on export control. This group coordinates decisions and recommendations flowing from the EDAC structure and the Commerce network.

CIA Organization in Support of the Commerce Task Groups and EDAC

IWG. Under IAC, there is an IWG, an Intelligence Working Group, in support of EDAC. This committee is chaired by ORR/D/E (Economic Defense). This same CIA economic defense office provides intelligence support to the Commerce Task Groups.

Clearances

When D/E provides intelligence and/or information to the EDAC or Commerce structures it first clears its material with OO, SO, and Z and on occasion OCI directly. Any CIA source is contacted for clearance. If another Agency has contributed, that Agency, according to advice from D/E officers, is contacted in the case of material submitted to EDAC. However, the material submitted to Commerce Task Groups from D/E has not been cleared with other agencies if they have contributed. No MIC clearance has been obtained in any event; the MIC clearance would not be necessary if there were no release to foreign governments involved. In those instances where clearances have been obtained, including those instances where the clearer referred to COCOM, the understanding of the collector has been that they were clearing it for use in EDAC or Commerce and/or the U. S. Del. to COCOM; but in no circumstance, before the [ ] paper became an issue, did the collector clear for the other governments in COCOM. 25X1A9a

Use of CIA Intelligence and/or Information Provided  
by CIA/ORR/D/E to EDAC and/or Commerce Task Groups

Top Secret and U. S. Officials Only. In instances of "top secret and U. S. officials only" information or intelligence, the U. S. Delegation to COCOM has not been releasing such material or the content of that material to other governments. (This is stated after checking with [ ] just returned from U. S. Del. Paris, and with State, Commerce, and DMS.) 20X1A9a

Secret Security Information. The present understanding of DMS, Commerce, State, and U. S. Del. to COCOM officials, is that material including CIA-produced intelligence and/or information, classified no higher than secret, is subject to their discretion only, before or after revision, in connection with release to other COCOM countries.

COCOM Documents

Minutes. The COCOM negotiations are taken verbatim, but according to DMS, the COCOM Secretariat lacks manpower to transcribe the verbatim record, therefore, no verbatim minutes are available to us. Any COCOM country has the right, however, to request that a set of minutes be transcribed and given to the requesting country. Summary minutes are produced and distributed with other COCOM documents.

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Security Information

Documents. Included in COCOM documents are "briefing papers" prepared by U. S. officials and which, at the discretion of those officials (DMS, State, Commerce, and U. S. Del. to COCOM) contain CIA intelligence and/or information classified no higher than secret without clearance by this Agency. These are received (8 copies) in D/E.

Regulations

CIA Regulations. CIA Regulations 50-7 and 50-13 are pertinent to the subject.

DDI Memorandum. A DD/I memorandum of August 13, 1952 sets forth dissemination procedure on non-national (CIA) intelligence.

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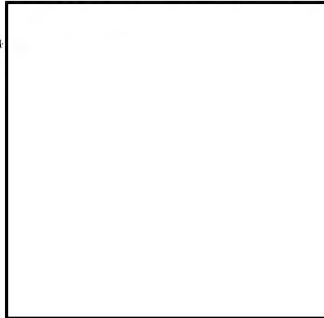
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MEMORANDUM OF CONVERSATION

(Meeting held in Room 3305, 2:30 - 4:30 P.M., December 29, 1958)

Subject: ~~Members.~~



Proposed Revision of Paragraph 5, IAC-D-22/1 - Intelligence Working Group Terms of Reference.

1. The present paragraph 5 reads, "5. Subject to their appropriate security clearance, the members and associate members of IAC shall have access within the IAC to such intelligence and information prepared or obtained by any of the IAC agencies as is necessary for the fulfillment of the IAC mission."

2. The proposed revision reads, "5. The members and associate members of the IAC shall have access within the IAC to intelligence and information produced or obtained by an IAC agency and needed for the fulfillment of the IAC mission, subject to appropriate security clearances and the controls and procedures of the originating IAC agency."

3. The object of the revised language is to prevent other agencies from demanding under the present language of paragraph 5 to see intelligence information which the collector in protecting his sources and methods refuses to release outside the agency to the IAC community and/or to non-IAC agencies.

4. [redacted] as chairman of IAC will discuss the proposed revision of paragraph 5 with IAC members. He will then contact SAC for IAC action once staff work has been completed at the IAC level.

Clearance of Intelligence and Information Requested by SAC/D/S for Use with non-IAC Agencies and Foreign Governments.

5. SAC/D/S will clear intelligence and information (a) with the collector(s) (directly or through SAC) before release to non-IAC agencies and (b), consistent with SAC policy, with SAC and the collector(s) (directly or through SAC) before release to foreign nationals.

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[redacted]  
Office of Intelligence Coordination

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